

### **REMARKS**

Applicant has carefully reviewed the Office Action mailed December 11, 2008 and offers the following remarks to accompany the above amendments.

Claims 1, 2, 4-23, and 25-42 remain pending.

Applicant had amended paragraph 0002 of the Specification, as noted above, in order to add the related application serial number. As such, Applicant requests that the objection be withdrawn.

Claims 1-8, 11-16, 18, 19, 21-23, 25, 26, 29-34, 36, 37, 39, and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0134650 A1 to Sundar et al. (hereinafter "Sundar") in view of U.S. Patent No. 5,901,359 to Malmstrom (hereinafter "Malmstrom"). Applicant respectfully traverses.

When rejecting a claim under § 103, the Patent Office must either show that the prior art references teach or suggest all limitations of the claim or explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. Examination Guidelines for Determining Obviousness Under 35 U.S.C. § 103 in View of the Supreme Court Decision in *KSR International Co. v. Teleflex Inc.*, published in the Federal Register, Vol. 72, No. 195, pages 57526-57535. The gap between the prior art and the claimed invention may not be "so great as to render the [claim] nonobvious to one reasonably skilled in the art." *Dann v. Johnston*, 425 U.S. 219, 230, 189 U.S.P.Q. (BNA) 257, 261 (1976). In this case, the Patent Office has failed to show where each and every limitation of the claims is taught or suggested by the prior art. Further, for those limitations of the claims that are not taught or suggested by the prior art, the Patent Office has failed to explain why those limitations would have been obvious to one of ordinary skill in the art.

Before addressing the rejections, Applicant provides a brief background. Embodiments described in the Specification of the present application relate to a communication environment where calls are established with a single mobile terminal through either a wireless network or a wireline network, such as the public switched telephone network (PSTN), via a terminal adaptor, which is capable of wirelessly communicating with the mobile terminal. As such, the mobile terminal may facilitate traditional cellular calls via the wireless network, or traditional PSTN calls via the terminal adaptor (Specification, paragraph 0005). The terminal adaptor and mobile terminal communicate via a local wireless interface, and as such, communications via the PSTN

through the terminal adaptor are only possible within a limited communication zone supported by the terminal adaptor. When the mobile terminal is involved in a call within the communication zone of the terminal adaptor, calls are facilitated via the wireless interface with the terminal adaptor. *Ibid.* As the mobile terminal approaches the outer limits of the communication zone, the terminal adaptor will detect a decrease in its ability to facilitate effective communications with the mobile terminal and trigger the supporting telephony switch to effectively transfer the call to the mobile terminal through the wireless network, as well as register with the wireless network, if registration has not already taken place. *Ibid.* Preferably, the mobile terminal is associated with a primary directory number that is associated with the PSTN. The temporary directory number is provided by a wireless switch currently providing wireless access through the wireless network for the mobile terminal.

Claims 1 and 22 both recite that the primary directory number initially used to establish a call is associated with the wireline network and that the temporary directory number used to initiate a transition of the first call when the mobile terminal is detected to be moving out of the local wireless communication zone is a temporary directory number that is provided by a wireless switch currently providing wireless access for the mobile terminal. Sundar does not teach this limitation, and neither does Malmstrom. Thus, the invention as claimed is patentable.

The combination of Sundar and Malmstrom does not teach or suggest a control system cooperating with the wireline network interface and the local wireless interface and adapted to “initiate a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the wireless network using a temporary directory number **provided by a wireless switch currently providing wireless access for the mobile terminal.**” as recited in claim 1. The Patent Office alleges that Sundar teaches this limitation in paragraphs 0021-0023 and 0096 (Office Action mailed December 11, 2008, pp. 3-4). Applicant respectfully disagrees.

The Patent Office is reading the WLAN of Sundar as the wireline network and the WWAN of Sundar as the wireless network (Office Action mailed December 11, 2008, pp. 3-4). Sundar discloses a handoff of a mobile station as it roams during a call from a WLAN to the WWAN environment (Sundar, paragraph 0096). However, in Sundar, the transition of the call from the WLAN to the WWAN environment is not initiated using a temporary directory number **provided by a wireless switch currently providing wireless access for the mobile terminal.**

as recited in claim 1. Instead, in Sundar, when the mobile station determines that handoff is imminent, the mobile station requests that the WLAN switch issue it a Temporary Local Directory Number (TLDN) (Sundar, paragraph 0096). The WLAN switch of Sundar is being equated to the wireline switch by the Patent Office. Thus, in Sundar, it is the wireline switch that provides the temporary directory number, and not the wireless switch currently providing wireless access for the mobile terminal, as recited by the claimed invention. The WLAN switch in Sundar is not a wireless switch currently providing wireless access through the wireless network for the mobile terminal. Accordingly, Sundar does not teach or suggest initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the wireless network using a temporary directory number provided by a wireless switch currently providing wireless access for the mobile terminal, as recited in claim 1.

Malmstrom also does not teach or suggest this limitation. Malmstrom discloses a temporary directory number (see Malmstrom, col. 11, lines 5-28), but the temporary directory number is not used to initiate a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the wireless network. Thus, the combination of Sundar and Malmstrom fails to teach or suggest a control system cooperating with the wireline network interface and the local wireless interface and adapted to “initiate a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the wireless network using a temporary directory number provided by a wireless switch currently providing wireless access for the mobile terminal,” as recited in claim 1. Claim 1 is therefore patentable.

Independent claim 22 recites similar limitations as the limitations of claim 1 and is thus patentable for at least the same reasons set forth above with respect to claim 1.

Claims 2, 4-8, 11-16, 18, 19, and 21, depend from claim 1 and include all of the limitations of claim 1, and are thus not obvious for at least the same reasons. Claims 23, 25, 26, 29-34, 36, 37, 39, and 40, depend from claim 22 and include all of the limitations of claim 22, and also are not obvious for at least the same reasons.

The distinctions between the claimed invention and the combination of Sundar and Malmstrom are highlighted when looking at claims 2 and 23. Claims 2 and 23 recite “wherein

the mobile terminal is registered with the wireless network while the first call is established **and the temporary directory number is assigned to the mobile terminal by the wireless switch upon registration.**” Sundar does not teach this limitation, and neither does Malmstrom. In Sundar, the mobile station requests the TLDN from the WLAN switch and receives it before the mobile terminal ever registers in the WWAN environment (Sundar, paragraph 0096, “mobile station 310 requests 3004 the WLAN switch 302 to issue it a Temporary Local Directory Number (TLDN)...Having received the TLDN the mobile station 310 continues roaming and...upon sensing the WWAN environment and upon successful completion of registration in the WWAN environment, requests a call to be placed using the TLDN as the destination (called party).”). Thus, since the mobile station in Sundar receives the TLDN prior to registration in the WWAN, Sundar does not teach or suggest that the temporary directory number is assigned to the mobile terminal by the wireless switch **upon registration** of the mobile terminal with the wireless network, as recited in claims 2 and 23. Malmstrom also does not teach this limitation. Accordingly, claims 2 and 23 are patentable over the combination of Sundar and Malmstrom for this additional reason.

Claims 9, 10, 27, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundar and Malmstrom and further in view of U.S. Patent No. 5,260,988 to Schellinger et al. (hereinafter “Schellinger”). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claims 9 and 10 depend from claim 1 and include all of the limitations of claim 1. Claims 27 and 28 depend from claim 22 and include all of the limitations of claim 22. Claims 9, 10, 27, and 28 are thus patentable for the same reasons set forth above with respect to claims 1 and 22. In particular, the combination of Sundar and Malmstrom fails to teach or suggest initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the wireless network using a temporary directory number **provided by a wireless switch currently providing wireless access for the mobile terminal.** as recited in claims 1 and 22. Schellinger fails to cure the deficiencies of Sundar and Malmstrom in this regard. Thus, claims 9, 10, 27, and 28 are patentable over the combination of Sundar, Malmstrom, and Schellinger.

Claims 17 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundar and Malmstrom and further in view of U.S. Patent Application Publication No. 2004/0132485 A1 to Charney et al. (hereinafter "Charney"). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claim 17 depends from claim 1 and includes all of the limitations of claim 1. Claim 35 depends from claim 22 and includes all of the limitations of claim 22. Claims 17 and 35 are thus patentable for the same reasons set forth above with respect to claims 1 and 22. In particular, the combination of Sundar and Malmstrom fails to teach or initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the wireless network using a temporary directory number **provided by a wireless switch currently providing wireless access for the mobile terminal**, as recited in claims 1 and 22. Charney fails to cure the deficiencies of Sundar and Malmstrom in this regard. Thus, claims 17 and 35 are patentable over the combination of Sundar, Malmstrom, and Charney.

Claims 20 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundar and Malmstrom and further in view of U.S. Patent Application Publication No. 2002/0061744 A1 to Hamalainen et al. (hereinafter "Hamalainen"). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claim 20 depends from claim 1 and includes all of the limitations of claim 1. Claim 38 depends from claim 22 and includes all of the limitations of claim 22. Claims 20 and 38 are thus patentable for the same reasons set forth above with respect to claims 1 and 22. In particular, the combination of Sundar and Malmstrom fails to teach or initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the wireless network using a temporary directory number **provided by a wireless switch currently providing wireless access for the mobile terminal**, as recited in claims 1 and 22. Hamalainen fails to cure the deficiencies of Sundar and Malmstrom in this regard. Thus, claims 20 and 38 are patentable over the combination of Sundar, Malmstrom, and Hamalainen.

Claims 41 and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundar and Malmstrom and further in view of U.S. Patent No. 5,579,375 to Ginter et al.

(hereinafter "Ginter"). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claim 41 depends from claim 1 and includes all of the limitations of claim 1. Claim 42 depends from claim 22 and includes all of the limitations of claim 22. Claims 41 and 42 are thus patentable for the same reasons set forth above with respect to claims 1 and 22. In particular, the combination of Sundar and Malmstrom fails to teach or initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the wireless network using a temporary directory number **provided by a wireless switch currently providing wireless access for the mobile terminal**, as recited in claims 1 and 22. Ginter fails to cure the deficiencies of Sundar and Malmstrom in this regard. Thus, claims 41 and 42 are patentable over the combination of Sundar, Malmstrom, and Ginter.

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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